

REMARKS/ARGUMENTS

The Examiner is thanked for the Office Action mailed October 9, 2008. The status of the application is as follows:

- Claims 1-15 are pending, claims 1, 3-4, 6-7, 10-12 and 14-15 have been amended, and claims 16-20 have been added;
- The specification is objected to under 37 C.F.R. 1.75(c);
- Claims 14 and 15 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter;
- Claims 1-3 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Gamm (US 6,078,887); and
- Claims 7-9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gamm in view of Hon et al. (US 5,852,801).

The objections and rejections are discussed below.

The Objection to the Specification

Claims 4-6, 10 and 13-15 are objected to under 37 C.F.R. 1.75(c) as being in improper form for being multiple dependent claims depending from other multiple dependent claims. In light of the amendments made herein, this objection is moot and should be withdrawn.

The Rejection under 35 U.S.C. 101

Claims 14 and 15 stand rejected under 35 U.S.C. 101. In particular, the Office asserts that the claims are directed to non-statutory subject matter. In light of the amendments made herein, this rejection is moot and should be withdrawn.

The Rejection of Claims 1-3 and 11 under 35 U.S.C. 102(b)

Claims 1-3 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gamm. This rejection should be withdrawn because Gamm does not teach each and every element as set forth in the subject claims and, therefore, does not anticipate claims 1-3 and 11.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a

single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). MPEP §2131.

Amended **claim 1** recites a method of speech recognition where in case of a faulty recognition of the first symbol sequence, a spoken second symbol sequence is recognized and compared with the first symbol sequence. The first symbol sequence is corrected at the position of the sub-symbol sequence with the aid of the second symbol sequence by *comparing the second symbol sequence with such sub-symbol sequences of the first symbol sequence that are a number of symbols longer than the second symbol sequence and comparing the second symbol sequence with such sub-symbol sequences of the first symbol sequence that are a number of symbols shorter than the second symbol sequence, and determining a correcting sub-symbol sequence based on the comparisons*. Gamm fails to teach the above-emphasized claim elements.

In particular, Gamm discloses comparing a length of a first numeric sequence Z1 to a length of a second numeric sequence Z2. If the length of Z1 is shorter, the second numeric character sequence Z2 is substituted for the first numeric character sequence Z1 (see column 5, lines 6-12), and if the first sequence Z1 is larger than the second sequence Z2, then a correction character sequence determination is launched (see column 5, line 13-16). Hence, Gamm does not determine a correction character sequence when Z1 is less than Z2. However, determining a correcting sub-symbol sequence in claim 1 requires two comparisons, a comparison of a second symbol sequence with sub-symbol sequences of a first symbol sequence that are a number of symbols *longer* than the second symbol sequence and a comparison with sub-symbol sequences of the first symbol sequence that are a number of symbols *shorter* than the second symbol sequence. Thus, Gamm fails to teach determining the correcting sub-sequence from two comparisons, as recited in claim 1. Accordingly, the rejection of claim 1 should be withdrawn.

Claims 2-3 depends from claim 1 and are allowable at least by virtue of their dependencies. As such, the rejection of claims 2-3 should be withdrawn.

Amended **claim 11** is a system claim, which recites aspects similar to those recited in connection with claim 1. As such, the above discussion regarding claim 1 applies *mutatis mutandis* to claim 11, and this rejection should be withdrawn.

The Rejection of Claims 7-9 and 12 under 35 U.S.C. 103(a)

Claims 7-9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gamm in view of Hon. This rejection should be withdrawn because the combination of Gamm and Hon does not establish a *prima facie* case of obvious with respect to the subject claims.

The rationale to support a conclusion that the claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed. *KSR International Co. v. Teleflex Inc.*, 550 U.S. ____ (2007). MPEP §2143.

Amended independent **Claim 7** now recites a method of speech recognition where when a first symbol sequence is recognized erroneously, a spoken second symbol sequence is recognized and compared with the first symbol sequence. The first symbol sequence is corrected in the section of a sub-symbol sequence on the basis of the second symbol sequence, including *determining an initial set of corrected versions of the first symbol sequence, wherein the initial set of corrected versions comprises a plurality of alternatives of corrected versions of the first symbol sequence; and outputting the initial set of corrected versions of the first symbol sequence to the user* for verification purposes until a positive acknowledgement of an output corrected version of an abort command is received or until a limit value defined as an abort criterion is reached. The combination of Gamm and Hon et al. fails to anticipate each and every element of the claim as amended.

The Office concedes that Gamm fails to teach or suggest a plurality of alternatives of corrected versions of the first symbol sequence being determined and output to the user for verification purposes as originally recited in claim 7, but asserts that Hon et al. makes up for this deficiency at column 8, lines 8-18. This rejection is respectfully traversed in light of the amendments herein. Hon et al. discloses a system that displays a top one word in response to a user correction (column 8, lines 8-9). If this top one word is the desired word, the system returns to the dictation software program 75 (see column 8, lines 9-16). If the top one word is not the desired word as indicated by a user interaction 47, then an N-best list is displayed (see column 8, lines 16-19). Therefore, only a top one word is initially displayed, and only where the user

indicates that this top one word is not desired is a list of alternatives displayed. As such, Hon et al. fails to teach or suggest the subject claim element.

Accordingly, the combination of Gamm and Hon et al. fails to teach or suggest claim 7, and the rejection should be withdrawn.

Claims 8-9 depend from claim 7 and are allowable at least by virtue of their dependencies. Therefore, the rejection of claims 8-9 should be withdrawn.

Claim 12 is a system claim, which recites aspects similar to those recited in connection with claim 7. As such, the above discussion regarding claim 7 applies *mutatis mutandis* to claim 12, and this rejection should be withdrawn.

New Claims 16-20

Newly added claims 16-20 emphasize various aspects. No new matter has been added.

In particular **claim 16**, which depends from claim 1, recites correcting the sub-symbol sequence includes generating a plurality of corrected versions of the first symbol sequence in which the second symbol sequence is exchanged for the sub-symbol sequences, wherein *one of the corrected versions of the first symbol sequence includes second symbol sequences which are longer than the exchanged sub-symbol sequence and another of the corrected versions of the first symbol sequence includes second symbol sequences which are shorter than the exchanged sub-symbol sequence*. Gamm fails to teach this subject element because Gamm instead discloses that where a first sequence is shorter than a second sequence, a correction determination is not launched (see column 5, lines 13-16). Hence, corrected versions may not include second symbol sequences that are both longer and shorter than the exchanged sub-symbol sequences.

Claim 17, which depends from claim 7, recites outputting the initial set of corrected versions of the first symbol sequence to the user for verification occurs after the second symbol sequence is spoken *without further user interaction*. Hon et al. fails to teach or suggest this claim element the N-best list is output to a user only if: 1. the top one word is not the desired word and 2. the user initiates a system command 47 (see column 8, lines 16-19). Therefore, without further user interaction, only a top one word is initially displayed.

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Furthermore, Claims 16-20 depend from claims 1, 7 and 14, respectively, and are allowable at least by virtue of their dependencies. Allowance of claims 16-20 is respectfully requested.

Other Amended Claims

Claims 3, 7 and 12 have been amended herein not for issues of patentability but to conform with standard United States Patent and Trademark Office prosecution form and procedure. As such, the amendments made are for facilitating expeditious prosecution and are not conceding that amended aspects are not patentable over the art cited by the Examiner.

Conclusion

In view of the foregoing, it is submitted that the claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,



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